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EXAMINER

VU, NGOC K

ART UNIT PAPER NUMBER

2611

DATE MAILED: 08/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/837,128

Applicant(s)

ANDERSON ET AL.

Examiner

Ngoc K. Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18-60 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18-60 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7/8/05</u> . | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

1. Applicant's arguments filed 7/12/05 with respect to claims 18-36 have been considered but they are not persuasive.

With respect to claims 18 and 36, applicant argues that Rallison's head mounted display does not include a portable receiver configured to receive video content transmitted wirelessly to the receiver, signal processing logic configured to selectable operation by a user to select video content from one of the plurality of sources. Examiner respectfully disagrees.

As applicant points out in the remarks, Rallison teaches a head-mounted display (HMD) that is lightweight and compact, and the display may communicate to a video/audio source via wireless communication such as radio communication (see Remarks: page 11, second and third paragraphs; Rallison: abstract; col. 4, lines 13-28; col. 11, lines 23-34). From this view, the HMD is portable or handheld since it is easily carried or moved with respect to its lightweight and compact features and wireless communication for receiving data from video/audio source. Applicant further argues that Rallison only contemplates wireless communication between the head mounted unit and the video/audio source not between the video/audio source and a remote wireless network. (Emphasis added). This argument is not persuasive. It is noted that claim 18 recites the limitation "...to receive video content transmitted wirelessly to said receiver". (Emphasis added). In other words, the receiver receives the video content wirelessly.

Rallison's HMD device includes a main component 12 having elements or electronics included "a receiver" for receiving video content from source and/or "signal processing logic" for selecting video/audio source such as channel selection (see col. 5, lines 15, lines 15-18; col. 3, lines 58-64; col. 4, lines 13-28 and 51-56 and figures 1-8). Thus, HMD device is a wireless handheld/portable device for receiving video content comprising a portable receiver (one element or electronic) within a handheld housing (in main component 12 of HMD device)

configured to receive video content transmitted wirelessly to the receiver (via wireless communication for receiving video/audio signals from video/audio source); signal processing logic (one element or electronic), within said handheld housing (in main component 12 of HMD device), configured for selectable operation by a user to select video content (selecting video/audio source such as channel selection).

Applicant further argues that the combined teachings of Rallison and Vancelette would not render obvious the claimed device. Examiner respectfully disagrees.

Rallison does not teach the feature of video content originating at a plurality of sources located at an event. However, Vancelette teaches a system providing video/audio signals from different cameras located at an event such as football game to allow viewer to select among a choice of available camera angles and audio feeds. For example, cameras 12, 14 and 16 provide video and audio signals on channel A, channel B and channel C, respectively (see figure 1; col. 5, lines 20-34; col. 6, lines 1-12). From this view, each of cameras is a source located at the event providing audio and video signals on each of channels. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Rallison by providing video/audio signals from different cameras or sources located at an event as taught by Vancelette in order to provide viewers an event with different views.

2. Applicant's arguments with respect to newly added claims 39, 49, 52 and 60 have been considered but are moot in view of the new ground(s) of rejection. Newly added claims 40-48, 50-51 and 53-59 are addressed below.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 18-38, 40-48, 50, 51 and 53-59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rallison et al (US 5,903,395 A) in view of Vancelette (US 5,894,320 A).

Regarding claim **18**, Rallison discloses a wireless handheld device (lightweight and compact HMD device can be used with wireless communication such as infrared or radio communication – see col. 4, lines 25-28; abstract and figures 1-8) for receiving video content, comprising:

a portable receiver (one element or electronic) within a handheld housing (in main component 12 of HMD device) configured to receive video content transmitted wirelessly to the receiver (via wireless communication for receiving video/audio signals from video/audio source); signal processing logic (one element or electronic), within said handheld housing (in main component 12 of HMD device), configured for selectable operation by a user to select video content (selecting video/audio source such as channel selection) (See col. 5, lines 15, lines 15-18; col. 3, lines 58-64; col. 4, lines 13-28 and 51-56 and figures 1-8).

a display (image generator 72) configured to display video content (see col. 5, lines 11-44 and figures 1-8).

Rallison does not teach the feature of video content originating at a plurality of sources located at an event. However, Vancelette teaches a system providing video/audio signals from different cameras located at an event such as football game to allow viewer to select among a choice of available camera angles and audio feeds. For example, cameras 12, 14 and 16 provide video and audio signals on channel A, channel B and channel C, respectively (see figure 1; col. 5, lines 20-34; col. 6, lines 1-12). From this view, each of cameras is a source located at the event providing audio and video signals on each of channels. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Rallison by providing video/audio signals from different cameras or

sources located at an event as taught by Vancelette in order to provide viewers an event with different views.

Regarding **claim 19**, the combination of Rallison and Vancelette further teaches the receiver receives wirelessly at least one of video content and audio content originating at another event (another event can be any program such as TV program, sport game...etc...- see Rallison: col. 4, lines 13-28; Vancelette: col. 5, lines 26-34).

Regarding **claim 20**, the combination of Rallison and Vancelette further teaches that a portable user interface, within said handheld housing (in main component 12 of HMD device), configured to allow the user to select video content for display by the display from the event and from another event (the user selects channel to view different events or programs - see Rallison: col. 4, lines 51-57; col. 5, lines 15-18 and figures 1-8).

Regarding **claim 21**, the combination of Rallison and Vancelette further teaches that the receiver wirelessly receives audio content includes audio from only one of plurality of sources, and further comprising a portable user interface (in main component 12 of HMD device) configured to allow the user to select audio content from one of the sources (see Vancelette: figure 5; col. 5, lines 21-24 and Rallison: col. 4, lines 51-57; col. 5, lines 15-18; col. 6, lines 6-15).

Regarding **claim 22**, the combination of Rallison and Vancelette further teaches that the receiver wirelessly receives audio and video content from cameras (12, 14 and 16) and microphones (included to capture audio content) at the event (see Rallison: col. 4, lines 51-57; Vancelette: col. 6, lines 4-6).

Regarding **claim 23**, the combination of Rallison and Vancelette further teaches a portable user interface (in main component 12 of HMD device) configured to allow the user to select for simultaneous outputting audio content from a plurality of sources (e.g., from 12, 14 and 16 – see figure 1 of Vancelette), and wherein the audio content from one source is output at an increased

amplitude relative to the audio content from another source (e.g., announcer audio feed from one source is the most popular audio content is output at an increase amplitude relative to the audio content from another source – see Vancelette: col. 5, lines 35-47; Rallison: col. 4, lines 51-57; col. 5, lines 15-18; col. 10, lines 26-28).

Regarding **claim 24**, the combination of Rallison and Vancelette further teaches that the receiver wirelessly receives the video content when the user is away from the event (see Vancelette: col. 5, lines 25-28; Rallison: col. 4, lines 51-57).

Regarding **claim 25**, the combination of Rallison and Vancelette further teaches that a portable user interface (in main component 12 of HMD device) and wherein the receiver is configured to receive a plurality of video and audio channels selectable using the user interface (e.g., selection of a video and/or audio source such as channel selection – see Rallison: col. 4, lines 53-57; col. 5, lines 15-18).

Regarding **claim 26**, Rallison as modified by Vancelette teaches providing a program at a sporting event such as football game, and providing the video content from different camera angles and audio content from audio feeds (see Vancelette: col. 5, lines 35-44 and col. 6, lines 3-11). Both fail to disclose providing video and audio content from an automobile race. Official Notice is taken that broadcasting video and audio content from a sporting event such as an automobile race is well known in the art. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combination system of Rallison and Vancelette by broadcasting video and audio content from an automobile race to provide car race to viewers.

Regarding **claim 27**, Rallison as modified by Vancelette teaches that a user interface configured to allow the user to select intermittently images representing said video content for display by the display (e.g., different images via different channels – see Rallison: col. 4, lines 53-57; Vancelette: col. 5, lines 26-34 and col. 6, lines 1-12).

Regarding **claim 28**, Rallison as modified by Vancelette teaches that the video content includes video content intermittent images of the event (different views of the event - see Vancelette: col. 1-11; col. 6, line 65 to col. 7, line 18).

Regarding **claim 29**, Rallison as modified by Vancelette teaches that a user interface (in main component 12 of HMD device) configured to control operation of said signal processing logic such that the user away from the event while intermittently viewing images (different images) defining said video content (Rallison: col. 4, lines 53-57; col. 5, lines 15-18; Vancelette: col. 7, lines 55-57).

Regarding **claim 30**, Rallison as modified by Vancelette teaches that a user interface configured to provide one touch operation (e.g., a touch-sensitive screen – see col. 9, lines 40-41).

Regarding **claim 31**, Rallison teaches that the display is a liquid crystal display (see col. 5, lines 39-42).

Regarding **claim 32**, Rallison teaches that the display comprises a plurality of screens (one or more visible displays can be provided – see col. 4, lines 60-61).

Regarding **claim 33**, Rallison teaches that the wireless handheld device comprises a shroud substantially surrounding the display (see col. 8, lines 8-10 and figures 1-5).

Regarding **claim 34**, Rallison as modified by Vancelette teaches that the plurality of the sources provide a sideline view of said event and a spectator view of said event (see Vancelette: col. 5, lines 35-38).

Regarding **claim 35**, the combination of Rallison and Vancelette teaches that the video content provides different images from the event (different views), said signal processing logic allowing the user to select images for display on the display when the user is away from the event (see Vancelette: col. 5, lines 21-28 and 35-40 and Rallison: see col. 4, lines 53-57).

Regarding **claim 36**, Rallison discloses a wireless handheld device (lightweight and compact HMD device can be used with wireless communication such as infrared or radio communication – see col. 4, lines 25-28; abstract and figures 1-8) for receiving video content, comprising:

a portable receiver (one element or electronic) within a handheld housing (in main component 12 of HMD device) configured to receive video content transmitted wirelessly to the receiver (via wireless communication for receiving video/audio signals from video/audio source); signal processing logic (one element or electronic), within said handheld housing (in main component 12 of HMD device), for processing the image content to produce images (see col. 5, lines 15, lines 15-18; col. 3, lines 58-64; col. 4, lines 13-28 and 51-56 and figures 1-8);

a display (image generator 72) configured to display video content (see col. 5, lines 11-44 and figures 1-8).

a user interface for selecting at least one of the images for viewing by a user on the display (selecting video/audio source such as channel selection) (see col. 4, lines 51-56).

Rallison does not teach the feature of video content originating at a plurality of sources located at an event. However, Vancelette teaches a system providing video/audio signals from different cameras located at an event such as football game to allow viewer to select among a choice of available camera angles and audio feeds. For example, cameras 12, 14 and 16 provide video and audio signals on channel A, channel B and channel C, respectively (see figure 1; col. 5, lines 20-34; col. 6, lines 1-12). From this view, each of cameras is a source located at the event providing audio and video signals on each of channels. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Rallison by providing video/audio signals from different cameras or sources located at an event as taught by Vancelette in order to provide viewers an event with different views.

Regarding claim 37, Rallison as modified by Vancelette discloses that the event is a sporting event (see Vancelette: col. 5, lines 26-27).

Regarding claim 38, Rallison as modified by Vancelette discloses that the event is a game played on a field (i.e., football game) and said plurality of sources comprises a video camera (12, 14 and 16) located on the field (see Vancelette: figure 1 and col. 5, lines 26-27).

Regarding claim 40, the combined teachings of Rallison and Vancelette further teach that the event is a game played on a field and the video content received by the receiver includes a first image from a field sideline perspective of the game and a second image from a spectator perspective of the game, the signal processing logic allowing the user to select one of the first and second images (see Vancelette: figure 1 and col. 5, lines 26-38; Rallison: col. 4, lines 51-57).

Regarding claims 41, 43 and 44, the combined teachings of Rallison and Vancelette further teach that the event occurs at a stadium and the handheld device is configured to operate at any places (see Rallison: col. 5, lines 15, lines 15-18; col. 3, lines 58-64; col. 4, lines 13-28 and 51-56 and figures 1-8; Vancelette: figure 1 and col. 5, lines 20-31).

Regarding claims 42 and 45, the combination of Rallison and Vancelette further teaches the processing logic allowing to select one of the first and second images associated with events (the user selects channel to view different images associated with different events or programs - see Rallison: col. 4, lines 51-57; col. 5, lines 15-18 and figures 1-8).

Regarding claims 46 and 47, the combination of Rallison and Vancelette further teaches the feature of selecting video content to be displayed on the display (Rallison: col. 4, lines 51-57).

Further regarding claim 48, Rallison as modified by Vancelette teaches that the user away from the event while intermittently viewing images (different images) defining said video content (Rallison: col. 4, lines 53-57; col. 5, lines 15-18; Vancelette: col. 7, lines 55-57).

Regarding claims 50, 51 and 53-59, see rejection of claims 37, 38 and 40-45 and 48, respectively.

5. Claims 39 and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rallison et al (US 5,903,395 A) in view of Vancelette (US 5,894,320 A) and further in view of Khosla (US 6,080,063 A).

Regarding claims 39 and 52, the combination teachings of Rallison and Vancelette show that the event is a sporting event (see Vancelette: col. 5, lines 26-29). Both fail to show that the plurality of sources a camera located on a helmet of a player. However, Khosla discloses that participants in live event 100 wear helmet cameras which provide participant perspectives on live event 100 (see col. 4, lines 19-21). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combined system of Rallison and Vancelette by including a camera located on a helmet of a player as disclosed by Khosla for capturing images from the player position within live event.

6. Claims 49 and 60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rallison et al (US 5,903,395 A) in view of Vancelette (US 5,894,320 A) and further in view of Perlman (US 6,125,259 A).

Regarding claims 49 and 60, Rallison teaches the feature of selecting channel (see col. 4, lines 51-57). Rallison does not teach logic to analyze information received by the receiver indicating whether the device is authorized to display a select image defined by the select video content. However, Perlman teaches the feature that when a particular channel is selected for reception, the microprocessor requests the authorization status of the selected channel from a scrambler module, and the microprocessor then determines if the selected channel is authorized for viewing. The authorization status of a particular channel may be selectively enabled by transmitting a suitable authorization code to the scrambler module (see col. 10, lines 12-32). Therefore, it would have been

obvious to one of ordinary skill in the art at the time the invention was made to modify the combined system of Rallison and Vancelette by including a module to analyze the received authorization code indicating authorization status for viewing a selected channel as taught by Perlman in order to ensure the authorized viewer to view the channel for security purposes.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ngoc K. Vu whose telephone number is 571-272-7306. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on 571-272-7294. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Ngoc K. Vu', with a long horizontal flourish extending to the right.

Ngoc K. Vu
Primary Examiner
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August 29, 2005